

BILL NO. Z-80-05- 25

ZONING MAP ORDINANCE NO. Z- Spec.


AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. O-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:


SECTION 1. That the area described as follows is hereby designated an M-3 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. O-10, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly, to-wit:

Begue's Out Lot #4 in Commissioners Subdivision of all that part of the East half of Section 1, Township 30 North, Range 12 East, lying between the Wabash & Erie Canal and the Maumee River, as recorded in Book 77, page 185; EXCEPTING therefrom the South 1.5 acres, thereof conveyed to Emilie Aubry by deed recorded in Deed Record 73, containing 4.91 acres.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


COUNCILMAN

APPROVED AS TO FORM AND
LEGALITY MAY 23, 1980.


JOHN E. HOFFMAN
City Attorney

Read the first time in full and on motion by Nuckols Eisbart
seconded by Eisbart Just and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on 5-27-80, the _____ day of _____,
19_____, at _____ o'clock _____ M., E.S.T.

DATE: 5-27-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Eisbart
seconded by Just, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	<u>9</u>			
BURNS		<u>X</u>			
EISBART		<u>X</u>			
GIAQUINTA		<u>X</u>			
NUCKOLS		<u>X</u>			
SCHMIDT, D.		<u>X</u>			
SCHMIDT, V.		<u>X</u>			
SCHOMBURG		<u>X</u>			
STIER		<u>X</u>			
TALARICO		<u>X</u>			

DATE: 7-8-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) No. _____
on the _____ day of _____, 19____.

ATTEST: (SEAL)

Charles W. Westerman - CITY CLERK

Charles W. Westerman - PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____, at the hour of _____
o'clock _____ M., E.S.T.

Charles W. Westerman - CITY CLERK

Approved and signed by me this _____ day of _____
19____, at the hour of _____ o'clock _____ M., E.S.T.

Winfield C. Moses, Jr.
MAYOR

BILL NO. Z-80-05-25

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. 0-10

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO NOT PASS.

BEN EISBART, CHAIRMAN

JOHN NUCKOLS, VICE CHAIRMAN

JAMES S. STIER

SAMUEL J. TALARICO

DONALD J. SCHMIDT

Bq - A. G. L. ✓

John Nuckols

for the
Samuel J. Talarico

D. Schmidt

7-8-80
DATE 7-8-80 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 27, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-05-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 16, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 23, 1980.

Certified and signed this
24th day of June 1980.



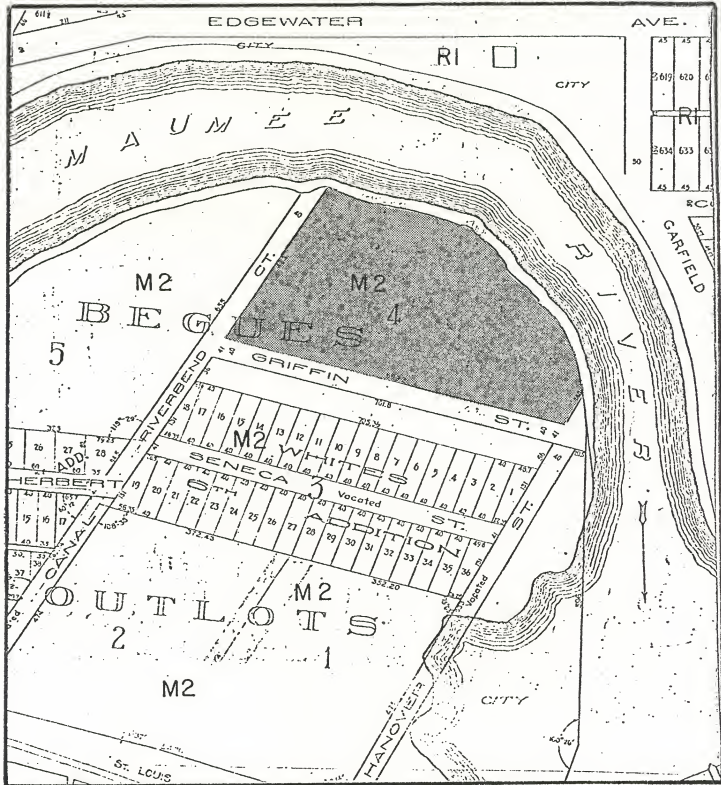
Joyce Schlatter
Secretary

RECEIPT

Date May 12 1980 No. **10978**Received From Steve KosterAddress 1919 Maurice Ave.Fifty DollarsDollars \$50.00For Registering Application - Bureau Check #4

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	<u>50</u>	<u>00</u>	CASH		
AMT. PAID	<u>50</u>	<u>00</u>	CHECK # <u>701507</u>		
BALANCE DUE	<u>0</u>	<u>0</u>	MONEY ORDER		

By Ray Barte



CERTIFICATE OF SURVEY

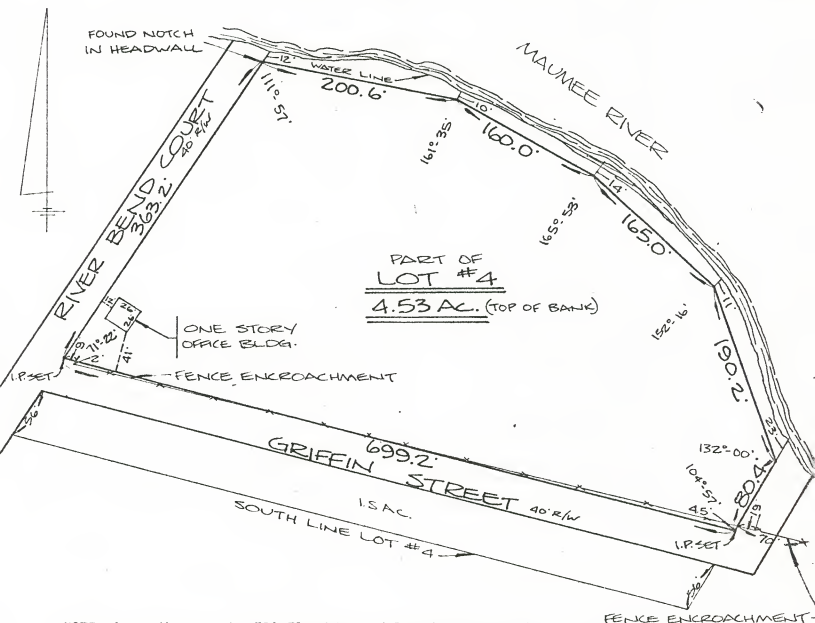
OFFICE OF:

JOHN R. DONOVAN
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
 REGISTERED LAND SURVEYOR No. 9921 INDIANA
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

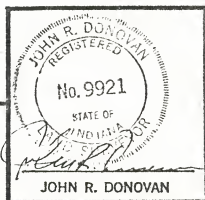
The description of the real estate is as follows, to wit: Begue's Out Lot #4 in Commissioners Subdivision of all that part of the East half of Section 1, Township 30 North, Range 12 East, lying between the Wabash & Erie Canal and the Maimee River, as recorded in Book 77, page 185; EXCEPTING therefrom the South 1.5 acres, thereof conveyed to Emilie Aubry by deed recorded in Deed Record 73, page 139, containing 4.91 acres.



NOTE: According to the FIA Flood Hazard Boundary Maps, the above described real estate is located in a flood hazard area.

JOB FOR: SMENNER

1"=100'
 11-14-79



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE Salvage yard

I/We J.S.K. Caperton
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an M-2 District to a/an M-3 District the property described as follows:

Begues 024 - N 4.91 Acres
Begue's Out Lot #4 in Commissioners Subdivision of all that part of the East half of Section 1, Township 30 North, Range 12 East, lying between the Wabash & Erie Canal and the Maumee River, as recorded in Book 77, page 185; EXCEPTING therefrom the South 1.5 acres, thereof conveyed to Emilie Aubry by deed recorded in Deed Record 73, (Legal Description) If additional space is needed, use reverse side. containing 4.91 acres.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

X Auto Rebuilding Co., Inc.
James E. Bayless 3418 So. Albion James E. Bayless
(Name) (Address) (Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.
Steve Rooster 1919 Maumee Ave 422-77419
(Name) (Address & Zip Code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-80-05-25DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Begue's Out Lot #4 in Commissioners Subdivision of all that
part of the East half of Section 1, T 30 N, R 12 E, lying between the Wabash & Erie
Canal and the Maumee River, as recorded in Book 77, page 185; EXCEPTING therefrom
the South 1.5 acres thereof conveyed to Emilie Aubry by deed recorded in Deed
Record 73, containing 4.91 acres.

EFFECT OF PASSAGE Property is now zoned M-2 - General Industry. Property will
become M-3 - Heavy Industry.

EFFECT OF NON-PASSAGE Property will remain M-2 - General Industry.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.)) _____



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
city plan commission

June 24, 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 23, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-80-05-25
2. From: M-2 to M-3
3. Intended Use: Junk car dismantling.
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

- a. This request would have an adverse effect on surrounding land uses.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary E. Baeten
Gary E. Baeten
Senior Planner

GFB:pb

Attachments